

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

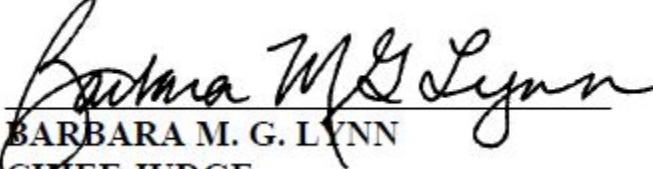
WESLEY DESHAWN MCCOY, §  
TDCJ No. 1687741, §  
§ Plaintiff, §  
§ §  
v. § Civil Action No. 7:18-cv-00061-M-BP  
§ §  
§ §  
OFFICER SERGEANT § Plaintiff, §  
M BERRERA, *et al.*, § §  
§ Defendants. § §

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, and Recommendation *de novo*. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

It is therefore ORDERED that Plaintiff's Amended Complaint is **DISMISSED WITHOUT PREJUDICE** as to Plaintiff's claims against Defendants in their official capacities for lack of subject matter jurisdiction and **DISMISSED WITH PREJUDICE** as to Plaintiff's claims against Defendants in their individual capacities for failure to state a claim.

**SO ORDERED** on this 27th day of April, 2020.

  
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BARBARA M. G. LYNN  
CHIEF JUDGE